

UNITED STATES BANKRUPTCY COURT
Certificate of Notice
DISTRICT OF NEW JERSEY

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Order Filed on November 15, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Caption in Compliance with D.N.J. LBR 9004-1(b)
WARREN S. JONES, JR., ESQ. #003781980
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Attorneys for Secured Creditor The Bank of New York Mellon,
f/k/a The Bank of New York as Trustee for Registered Holders of
CWABS, Inc., Asset-Backed Certificates, Series 2004-5
C.241-7655.NF

In Re:

Rafael D. Martinez
aka Rafael Delgado

Case No.: 18-27867-CMG

Hearing Date: 11/13/2018

Judge: Christine M. Gravelle

Chapter: 7

Recommended Local Form:

☐ Followed☒ Modified**ORDER VACATING STAY**

The relief set forth on the following page is hereby **ORDERED**.

DATED: November 15, 2018

Handwritten signature of Christine M. Gravelle in black ink.
Honorable Christine M. Gravelle
United States Bankruptcy Judge

Upon the motion of The Bank of New York Mellon, f/k/a The Bank of New York as Trustee for Registered Holders of CWABS, Inc., Asset-Backed Certificates, Series 2004-5, under Bankruptcy Code section 362(a) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real property more fully described as: 2611 Marne Highway, Hainesport, New Jersey 08016

It is further ORDERED that, in addition to foreclosure, permits activity necessary to obtain possession of said collateral; therefore, all communications sent by Movant in connection with proceeding against the property including, but not limited to, notices required by state law and communications to offer and provide information with regard to a potential Forbearance Agreement, Loan Modification, Refinance Agreement, Loss Mitigation Agreement, or other Loan Workout, may be sent directly to Debtor.

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the property at sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.

☐ Personal property more fully described as:

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.

rev. 7/12/16

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United States Bankruptcy Court
District of New Jersey

In re:
Rafael D. Martinez
Debtor

Case No. 18-27867-CMG
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Nov 15, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 17, 2018.

db +Rafael D. Martinez, 1109 Marne Highway, Hainesport, NJ 08036-2669

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 17, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 15, 2018 at the address(es) listed below:

Barry Frost trustee@teichgroh.com, NJ94@ecfcbis.com

Denise E. Carlon on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com

Kevin Gordon McDonald on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper
kmcDonald@kmlawgroup.com, bkgroup@kmlawgroup.com

R. A. Lebron on behalf of Creditor SELECT PORTFOLIO SERVICING, INC., as servicer for DEUTSCHE
BANK NATIONAL TRUST COMPANY, AS TRUSTEE, IN TRUST FOR THE REGISTERED HOLDERS OF MORGAN STANLEY
ABS CAPITAL I INC. TRUST 2007-HE5, MORTGAGE PA bankruptcy@feinsuch.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

Warren S. Jones, Jr. on behalf of Creditor THE BANK OF NEW YORK MELLON, F/K/A THE BANK OF NEW
YORK AS TRUSTEE FOR REGISTERED HOLDERS OF CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2006-5
email@warrensjones.com, r46134@notify.bestcase.com; robert@warrensjones.com

TOTAL: 6